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8 MARIA ALICEA

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12  
13 MARIA ALICEA ) Case No.: CV 09-00091- SBA  
14 Plaintiff, )  
15 vs. )  
16 GE MONEY BANK; SAXON MORTGAGE; )  
17 OLD REPUBLIC DEFAULT MANAGEMENT )  
18 SERVICES; MORTGAGE ELECTRONIC )  
19 REGISTRATIONS SYSTEMS, INC.; )  
20 WESTWOOD ASSOCIATES; U.S. BANK )  
21 NATIONAL ASSOCIATION, AS TRUSTEE )  
22 FOR ABFC 2007 - WMC1 TRUST; all persons )  
23 or entities unknown, claiming any legal or )  
24 equitable right, title, estate, lien or interest in the )  
25 property described in the Complaint adverse to )  
26 Plaintiff's title thereto, and DOES 1 through 30, )  
27 inclusive, )  
28 Defendants )

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff, MARIA ALICEA and Defendant, GE MONEY BANK stipulate and agree, by  
and through their respective counsel that:

1. On June 18, 2009, the Honorable Saundra Brown Armstrong granted GE MONEY  
BANK's Motion to Dismiss Plaintiff's Complaint and allowed Plaintiff leave to amend the  
Complaint except for the 4<sup>th</sup> Cause of Action;

1 2. Plaintiff's Amended Complaint is due on July 7, 2009;

2 3. Defendants SAXON MORTGAGE, MORTGAGE ELECTRONIC

3 REGISTRATION SYSTEMS, INC. and U.S. BANK NATIONAL ASSOCIATION, AS  
4 TRUSTEE FOR ABFC 2007-WMC1 TRUST ("SAXON Defendants") filed a Motion to  
5 Dismiss Plaintiff's Complaint which was set to be heard on June 30, 2009. The ruling on  
6 this hearing has not been issued;

7 4. Since the pleadings are not yet at issue and there is a possibility that the  
8 Court may grant the Motion to Dismiss by SAXON Defendants and allow Plaintiff leave  
9 to amend, filing an Amended Complaint pursuant to Judge Armstrong's June 18, 2009  
10 Order may cause confusion and waste the Court's resources;

11 5. Accordingly, in order to conserve the Court's resources and promote  
12 efficiency and to avoid potential conflicting pleadings, Defendant GE MONEY BANK  
13 and Plaintiff MARIA ALICEA hereby stipulate and agree that:

14 a. Plaintiff's Amended Complaint will be filed after the ruling on the  
15 SAXON Defendants' Motion to Dismiss;

16 b. Should the Court grant the SAXON Defendants' Motion to  
17 Dismiss and allow Plaintiff leave to amend, Plaintiff shall file her Amended Complaint  
18 based on the new deadline to be set by the Court pursuant to the Order on the SAXON  
19 Defendants' Motion to Dismiss;

20 c. Should the Court not allow Plaintiff leave to amend or deny the  
21 SAXON Defendants' Motion to Dismiss, Plaintiff's deadline to file an Amended  
22 Complaint pursuant to Judge Armstrong's June 18, 2009 Order on Defendant GE  
23 MONEY BANK's Motion to Dismiss shall be three (3) days from the date of the Order on  
24 the SAXON Defendants' Motion to Dismiss and Defendant GE MONEY BANK's  
25 response will be due 20 days following Plaintiff's filing of the Amended Complaint.

26 IT IS SO STIPULATED.

1 DATED: July 8, 2009

NOCOS LAW FIRM  
A Professional Corporation

2 By: /s/ Reuben L. Nocos  
3 Reuben L. Nocos

4 **Attorneys for Plaintiff**  
5 **MARIA ALICEA**

6 DATED: July 8, 2009

LAW OFFICES OF GLENN H. WECHSLER

7 By: /s/ Glenn H. Wechsler  
8 Glenn H. Wechsler

9 **Attorneys for Defendants**  
10 **GE MONEY BANK**

11 **ORDER**

12 Pursuant to the Stipulation Regarding Plaintiff's Amended Complaint, it is ordered that:  
13 Plaintiff's Amended Complaint will be filed after the ruling on the Motion to Dismiss  
14 filed by Defendants SAXON MORTGAGE, MORTGAGE ELECTRONIC REGISTRATION  
15 SYSTEMS, INC. and U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ABFC  
16 2007-WMC1 TRUST ("SAXON Defendants"). Should the Court grant the SAXON Defendants'  
17 Motion to Dismiss and allow Plaintiff leave to amend, Plaintiff shall file her Amended  
18 Complaint based on the new deadline to be set by the Court pursuant to the Order on the  
19 SAXON Defendants' Motion to Dismiss. Should the Court not allow Plaintiff leave to amend or  
20 deny the SAXON Defendants' Motion to Dismiss Plaintiff's deadline to file an Amended  
21 Complaint pursuant to Judge Armstrong's June 18, 2009 Order on Defendant GE MONEY  
22 BANK's Motion to Dismiss shall be three (3) days from the date of the Order on the SAXON  
23 Defendants' Motion to Dismiss and Defendant GE MONEY BANK shall have 20 days from the  
24 time of Plaintiff's filing to file a response.

25 IT IS SO ORDERED.  
26

27 Dated: 7/7/09

  
28 United States District Judge